

GOVERNMENT OF TELANGANA
A B S T R A C T

Public Services -Scheduled Caste Development Department – Disciplinary action initiated under rule 20 APCS (CC&A) Rules, 1991 against Sri K.Mallappa, Hostel Welfare Officer (Retired) Ranga Reddy District – Orders passed by the Hon'ble Andhra Pradesh Administrative Tribunal – Implementation Orders – Issued

SCHEDULED CASTE DEVELOPMENT (SER.A2) DEPARTMENT

G.O.Rt.No. 44

Dated:02-08-2014

Read the following:-

1. From the District Collector, Ranga Reddy district, charge memo Rc.No.A1/1264/96-II, Dated; 21.12.2000.
2. From the orders of Hon'ble APAT in OA No. 6363/2013 and batch cases Dated. 30.9.2013
3. From the Commissioner of Social Welfare, A.P., Hyderabad, Lr.Rc.No.I-2/6955/2013, dated 15.02.2014.

ORDER:

In the reference 3rd read above, the Commissioner of Social Welfare, Hyderabad has informed that in a disciplinary case, the District Collector, Ranga Reddy has framed the article of charges against Sri K.Mallappa, Hostel Welfare Officer (Retd), Social Welfare Boys Hostel, Batasingaram, Ghatkesar & Hayathnagar, Ranga Reddy district, based on the Special Audit Report submitted by the Accounts Officer O/o the Commissioner, Social Welfare, Hyderabad towards excess drawal of diet charges for the years 1991-92 to 1994-95, and called for explanation of the Charged Officer. The charged Officer has submitted his explanation and requested to furnish duplicate bills and registers of the period for verification. Since the Records have been sent to the CB,CID, for investigation ,the duplicate bills and registers of the period could not be given to the charged officer.

2. Commissioner of Social Welfare, A.P., Hyderabad has also stated that the CB, CID is investigating the case in Cr.No.13/96. The CB, CID had been requested for investigation report along with records for taking departmental action. In the absence of the records, no further action could be taken in the matter for further conduct of detailed enquiry and to complete the case. The individual has retired from Government Service on attaining the age of (58) years on superannuation on 31.08.2012. Further, the charged officer has approached the Hon'ble A.P.A.T, and filed O.A.No.6363 of 2013 for release of retirement benefits with revised pay scales and arrears of pay.

3. Commissioner of Social Welfare, A.P., Hyderabad has further stated that in the reference 2nd read above, the Hon'ble Tribunal, Hyderabad have passed the following order in O.A.No.6363/2013 filed by Sri K.Mallappa, Hostel Welfare Officer (Retired),Government Social Welfare Boys Hostel, Ranga Reddy District and batch cases on 30.09.2013:-

"We have gone through the order of this Tribunal in O.A.No.6705/2012, Dt.11.10.2012 and satisfied that the subject matter of these OAs is squarely covered by the orders passed by this Tribunal in the above OA. In the result, the Impugned charge memos issued in Proceedings A1/1264/96-II-40, Dt.21.12.2000 in all the above OAs are hereby set aside. Further the applicants are entitled for all the consequential benefits arising thereof. Accordingly, all the OAs are allowed".

4. Commissioner of Social Welfare, Hyderabad has further informed that the District Collector, Ranga Reddy District vide their letter dated 20.01.2014 has requested to issue necessary instructions whether the orders issued by the Hon'ble APAT may be implemented as the impugned Charge memo No.A1/1264/96-11-40, Dt.21.12.2000 is set aside by the Tribunal and ordered that the applicant is entitled for all the consequential benefits arising thereof, and the Government Pleader of Hon'ble High Court of A.P., Hyderabad has opined that it is not a fit case for filing a Writ Petition. The Commissioner of Social Welfare, A.P., Hyderabad has requested the Government to issue necessary orders on implementation of court orders in case of Sri K.Mallappa, HWO(Retd) as requested by the District Collector, Ranga Reddy district.

5. Government, after careful examination of the entire proposal of the Commissioner of Social Welfare, A.P., Hyderabad and report of the District Collector, Ranga Reddy District have observed that the Government Pleader of the Hon'ble High Court of Andhra Pradesh has opined that it is not a fit case to file a Writ Petition. The charge memos issued to Sri K.Mallappa, Hostel Welfare Officer (Retired), Government Social Welfare Boys Hostel, Ranga Reddy district in O.A.No.6363/2013 is identical to the charge memo issued in O.A.No.6705/2012. Both charges are on excess drawal of diet charges. In view of the above and in view of specific observations of

the Hon'ble Tribunal in its order dated 30.9.2013, any action to be taken in the matter should be consistent with the decision taken earlier as per the orders in O.A.No.6705/2012 filed by Sri G. Jayakar, Hostel Welfare Officer (Retired) Ranga Reddy district. The District Collector, Ranga Reddy vide letter dated 22.6.2013 addressed to the Accountant General, A.P. Hyderabad stated that as per the directions of Hon'ble Andhra Pradesh Administrative Tribunal in O.A.No.6705/2012 and the opinion of Government Pleader, Hon'ble High Court of Andhra Pradesh, Hyderabad the excess amount drawn to an extent of Rs. 30,508/- may be recovered from the gratuity and full pension may be released to Sri G.Jayakar, Hostel Welfare Officer(Retired), Ranga Reddy district.

6. Government after careful examination of the entire matter with reference to the recommendations of the Commissioner of Social Welfare, Hyderabad and taking into consideration of the report of the District Collector, Ranga Reddy district, have decided to implement the orders of Hon'ble APAT in OA No. 6363/2013 dt. 30.9.2013 filed by Sri K.Mallappa, Hostel Welfare Officer (Retired), Government Social Welfare Boys Hostel, Ranga Reddy District, duly recovering the misappropriated amount from the charged officer under sub-rule 7 of rule 9 RPRs, 1980 and also fixing up the responsibility to the concerned officials for not finalization of disciplinary proceedings against the charged officer within the stipulated time.

7. Accordingly, Government hereby implement the orders of the Hon'ble Andhra Pradesh Administrative Tribunal in OA No. 6363/2013 dt.30.9.2013 filed by Sri K.Mallappa, Hostel Welfare Officer (Retired), Ranga Reddy district, duly recovering the misappropriated amount from the charged officer under sub-rule 7 of rule 9 RPRs, 1980 and also fixing up the responsibility to the concerned officials for not finalization of disciplinary proceedings against the charged officer within the stipulated time.

8. The Director, Scheduled Caste Development, Telangana, Hyderabad is requested to take further necessary action accordingly and furnish the compliance report to Government immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr.T.RADHA
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To
The Director, Scheduled Caste Development, Telangana, Hyderabad
The District Collector(SCD), Ranga Reddy district
Copy to:
The Joint Director (SCD), Ranga Reddy district
The Accountant General, A.P., Hyderabad.
The District Treasury Officer, Ranga Reddy district
The Government Pleader for SW(S), APAT, Hyderabad.
The P.S. to Principal Secretary to Chief Minister.
The P.S. to Chief Secretary.
The P.S. to Principal Secretary (SCDD) (FAC)
SF/SC

// FORWARDED:: BY ORDER //

SECTION OFFICER